



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

February 12, 2016

OFFICE OF
CIVIL RIGHTS

RETURN RECEIPT REQUESTED

Certify Mail #: 7015 0640 0006 0305 6889

In Reply Refer To:

EPA File No: 15U-14-R4

Warden Carol Caldwell
North Carolina Correctional
Institution for Women (NCCIW)
1034 Bragg Street
4287 Mail Service Center
Raleigh, North Carolina 27699-4287

Re: Rejection of Administrative Complaint and Referral

Dear Ms. Caldwell:


This letter is in response to an administrative complaint filed with the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), on October 14, 2014. The complaint alleges that the inmates of North Carolina Correctional Institution for Women (NCCIW) are being exposed to paint and paint thinner which has caused them serious illness. After careful consideration, the OCR has concluded that it cannot accept the complaint for investigation because it does not meet the jurisdictional requirements described in EPA's nondiscrimination regulations at 40 Code of Federal Regulations Part 7. OCR is referring the complaint to the North Carolina Department of Environmental Quality (NCDEQ) for any followup action(s) considered appropriate.

Initially, OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral. To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulations. First, it must be in writing. Second, it must describe an alleged discriminatory act that, if true, would violate EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, age, sex, or disability). *Id.* Third, it must be filed within 180 days of the alleged discriminatory act. Finally, it must be filed against an applicant for, or recipient of, EPA assistance that allegedly committed the discriminatory act.

Information available does not indicate that the NCCIW is a recipient of EPA assistance. Therefore, we are rejecting the complaint as of the date of this letter.

If you have any questions , please contact Samuel Peterson by telephone at (202) 564-5393, via electronic mail at peterson.samuel@epa.gov, or by mail at: U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-1000.

Sincerely,


Velveta Golightly-Howell,
Director
Office of Civil Rights

Enclosures

cc: Elise B. Packard,
Associate General Counsel
Civil Rights & Finance Law Office
U.S. EPA

Kenneth LaPierre
Assistant Regional Administrator
Deputy Civil Rights Official
U.S. EPA, Region IV